

**Arkansas Department of Environmental Quality
RCRA FY2012 Midyear Review
(10/1/2011 - 3/31/2012)**

Data completeness, accuracy and timeliness (SRF Metric 1, 2 and 3):

ADEQ's data in RCRAInfo is complete, accurate and timely.

Inspection Coverage: Degree to which state completed the universe of planned inspections/compliance evaluations (SRF Metric 5):

<i>TSDFs</i>	<i>Evaluation Count</i>	<i>Facility Count</i>	<i>Universe</i>	<i>% Covered *</i>	<i>State Evaluation Projection</i>
<i>Federal Facilities</i>	2	1			
<i>Private</i>	14	9			
<i>State Facilities</i>	0	0			
Total	16	10	11	27%**	6

Evaluation Count and Facility Count include all Evaluation Types conducted at any TSDF.

*(This column only calculates the % covered using CEI, GME's and OAM Evaluation Types, for purposes of meeting the National Program Guidance requirement of evaluating 50% of the "Operating" TSDF Universe (100% every 2 years), multiple evaluations of the same facility count as only one inspection.) ** Inspections conducted at 11 Operating TSDFs were used in the calculation of Universe coverage, multiple evaluations of the same facility were not included in this count: (3/11 = 27%).

During the period of 10/1/2011 through 3/31/2012, ADEQ conducted inspections at 10 Treatment, Storage and Land Disposal (TSD) facilities (includes 1 Federal Facilities). ADEQ inspected 27% of the Operating TSDF Universe (from a April 16, 2012 RCRAInfo report), towards meeting the 50% annual coverage of Operating TSDFs.

<i>Large Quantity Generators</i>	Evaluation Count	Facility Count	Universe	% Covered *	State Projection
<i>Federal Facilities</i>	0	0			
<i>Private</i>	13	13			
<i>State Facilities</i>	0	0			
Total	13	13	131	10%	14

Evaluation Count and Facility Count include all Evaluation Types conducted at any LQG , including multiple inspections at a single facility.

*(This column only calculates the % covered using CEI Evaluation Types, for purposes of meeting the National Program Guidance requirement of evaluating 20% of the LQG Universe annually (inspecting 100% of the LQG universe in 5 years), multiple evaluations of the same facility count as only one inspection.)

**13 CEIs at LQGs were used in the calculation of Universe coverage, multiple evaluations of the same facility were not included in this count:

(13/131= 10%). ADEQ has an approved alternative approach as outlined in the Compliance Monitoring Strategy for the Resource Conservation and Recovery Act (RCRA) Subtitle C Program under the Straight Trade-off Approach". ADEQ will conduct inspections at 10% (14) of the LQG universe and will conduct the other 10% (14) at Small Quantity Generators.

During the period of 10/1/2011 through 3/31/2012, ADEQ conducted inspections at 13 Large Quantity Generators (LQGs). ADEQ inspected 10% of the LQG Universe (LQG Universe 131) meeting the 10% alternative approach for Fiscal Year 2012.

<i>Other Facilities</i>	Evaluation Count	Facility Count	Universe	% Covered	State Projection
<i>Small Quantity Generators</i>	15	15			
<i>Conditionally Exempt Small Quantity Generators</i>	1	1			
<i>Not in Any Universe</i>	11	11			
<i>Transporters</i>	0	0			
Total	27	27			

Evaluation Count and Facility Count include all Evaluation Types conducted at Small Quantity Generators (SQGs), Conditionally Exempt Small Quantity Generators (CESQEG), Not in Any Universe and Transporters , including multiple inspections at a single facility.

*(There is no National Program Guidance coverage requirement for these types of facilities)

During the period of 10/1/2011 through 3/31/2012, ADEQ conducted inspections at 27 "Other" Facilities.

Types of Inspections	Evaluation Count
<i>CAC – Corrective Action Compliance</i>	2
<i>CAV – Compliance Assistance Visit</i>	0
<i>CEI – Compliance Evaluation Inspection</i>	35
<i>FCI – Focused Compliance Inspection</i>	16
<i>FRR – Financial Records Review</i>	0
<i>FUI – Follow-Up Inspection</i>	0
<i>GME – Groundwater Monitoring Evaluation</i>	1
<i>OAM – Operation and Maintenance</i>	2
Total	56

Evaluation Count includes all Evaluation Types at all facilities including multiple inspections at a single facility.

Violation Identification Rate at sites with inspections: (SRF Metric 7)

Of the 50 facilities that were inspected during this period, 33 facilities were found to have violations, based on information from RCRAInfo, this is a 60% violation discovery rate. (Breakdown of Universe and violations found: Land Disposal Facilities = 1, Storage/Treatment Facilities = 1, LQG = 10, SQG = 12, CESQG = 1, Transporters = 0, Not Any Universe/Non-Notifiers = 8). Some facilities inspected are still under review for potential violations, thus depending on the outcome the violation rate discovered could increase once these reviews are complete.

Enforcement:**Significant Non-Compliers (SRF Metric 8):**

The National Goal for SNC identification is .9% of inspections should result in identifying SNCs. There were 11 SNCs identified during the period of 10/1/2011 through 3/31/2012, resulting in a 22% SNC identification rate for ADEQ.

The number of sites in SNCs status, during this period is 20 (based on a SRF pull on 4/16/12). 13 of the sites in SNC were addressed with formal enforcement (see table below), 12 of which were within the timelines outlined in the Enforcement Response Policy (ERP). The remaining facilities in SNC status were not due for enforcement at the time of this report.

SNC Addressed with Formal Enforcement:

Facility Name	ID #	Evaluation Date	Enf. Type	#Days	Settled Penalty	Collected	SEP
Cameron Valve & Measure	ARD006352496	9/8/11	310	166	\$8,250		
Country Medical Service	ARR000022574	12/31/10	510	348			
Crisp Property	ARR000022350	5/23/11	210	205			
Crisp Property	ARR000022350	5/23/11	430	275			
Forty-Niner Metals Mgt	ARR000021766	3/18/11	510	248			
George Ivory	ARR000022442	6/29/11	210	138			
Great Lakes Chemical	ARD043195429	3/22/11	210	301			
Koppers Inc.	ARD006344824	4/25/11	310	270	\$3,750	\$3,750	
Melvin Ewart	ARR000014829	3/23/10	320	610			
Nancy & Scott Gammill	ARR000022236	4/20/11	310	320	\$1,000		
Pine Bluff Arsenal	AR0213820707	5/31/11	310	175	\$5,000	\$5,000	
Seaark Marine	ARD107287369	8/10/11	310	218	\$19,875		
University of Arkansas	ARD981158405	5/24/11	310	133	\$7,500	\$7,500	
William Works, LLC	ARR000019497	5/5/11	210	167			

210 = Initial (3008) Compliance Order; **310** = Final 3008(a) Compliance Order; **320** = Final Imminent Hazard Order; **510** = Initial Civil Judicial Action for Compliance and/or Monetary Penalty

Secondary Violators (SVs)**Formal Enforcement Actions:**

Facility Name	ID #	Evaluation Date	Enf. Type	#Days	Settled Penalty	Collected	SEP
None							

Informal Enforcement Actions:

Type of Action	Facilities	Number of Actions
Written Informal (RCRAInfo Code 120)	36	36
Letter of Intent to Initiate Enforcement (RCRAInfo Code 140)	13	13
Proposed CAO (RCRAInfo Code 149)	7	7
Total	56	56

10 of the 140's and 7 of the 149's listed above were issued to SNCs.

Timely and Appropriate Enforcement (SRF Metric 10):

Three Enforcement Actions issued during this period were outside the timelines outlined in the ERP and appear to be appropriate based on the data in RCRAInfo. 100% of final formal enforcement actions included a penalty, exceeding the National Goal of 35% and the National Average of 70.1%.